

AMENDED APPLICATION
APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office AUG 07 2002

Returned to applicant for correction SEP 13 2002

Corrected application filed SEP 16 2002

Map filed SEP 16 2002

The applicant **Asti Family Trust No. 101 and Doris R. Smith** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **an unnamed spring**
2. The amount of water applied for is **1 c.f.s.** second feet.
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **irrigation and domestic**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kind of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **NE ¼ SW ¼ Section 11, T.14N., R.19E., or at a point which bears N. 74 degrees 23' 00" W., 1,762.67 feet from the W ¼ corner of said Section 11.**
6. Place of Use **Portions of the NW ¼ SW ¼; NE ¼ SW ¼; SE ¼ SW ¼ and SW ¼ SW ¼ of Section 11, T.14N., R.19E., M.D.B. & M. Total Area = 4 Acres**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Pipeline from unnamed spring to place of use**
9. Estimated cost of works **\$10,000.00**
10. Estimated time required to construct works **3 years**
11. Estimated time required to complete the application of water to beneficial use **5 years**

12. Remarks: Waters to be used for maintaining level in pond for recreation and wildlife propagation.

By James P. Haddan (Agent)
s/ James P. Hadden
206 South Minnesota Street
Carson City, Nevada 89703

Compared sg/sam lt/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 0.022 cubic feet per second, herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is limited to the irrigation of 4.0 acres within the described place of use.

This permit is simultaneously abrogated through the issuance of Permit 70694.

The amount of water to be abrogated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.022 cubic feet per second, but not to exceed 16.0 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

October 5, 2006

Proof of completion of work shall be filed on or before:

November 5, 2006

Water must be placed to beneficial use on or before:

October 5, 2006

Proof of the application of water to beneficial use shall be filed on or before:

November 5, 2006

Map in support of proof of beneficial use shall be filed on or before:

November 5, 2006

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 5th day of October A.D. 2006

Tracy T. L., P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____